

## RESOLUTION

### **A RESOLUTION SETTING A PUBLIC HEARING ON THE VACATION OF A PUBLIC UTILITY EASEMENT LOCATED ON LOT 14 CHIMNEY POINT PLAT 1 AND ELECTRIC EASEMENTS LOCATED ON LOTS 2, 5, 8, 9 AND 14 OF CHIMNEY POINT PLAT 1.**

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**WHEREAS**, the staff of the City of Ankeny has recommended that the City vacate a Public Utility Easement recorded in Book 12834 Pages 396-409 of the records of the Polk County Recorder said easement being legally described as follows:

THE WEST 5.00 FEET, EXCEPT THE SOUTH 10.00 FEET, LOT 14 CHIMNEY POINT PLAT 1, AN OFFICIAL PLAT IN THE CITY OF ANKENY, POLK COUNTY, IOWA AS RECORDED IN BOOK 12834, PAGE 396-409.

**WHEREAS**, the staff of the City of Ankeny has recommended that the City vacate Electric Easements recorded in Book 12834 Pages 396-409 of the records of the Polk County Recorder said easement being legally described as follows:

THE EAST 5.00 FEET OF LOT 2 CHIMNEY POINT PLAT 1, AN OFFICIAL PLAT IN THE CITY OF ANKENY, POLK COUNTY, IOWA AS RECORDED IN BOOK 12834, PAGE 396-409; AND,

THE WEST 5.00 FEET OF LOT 5, OF SAID CHIMNEY POINT PLAT 1; AND,

THE EAST 5.00 FEET OF LOT 8, OF SAID CHIMNEY POINT PLAT 1; AND,

THE WEST 5.00 FEET OF LOT 9, OF SAID CHIMNEY POINT PLAT 1; AND,

THE EAST 5.00 FEET OF LOT 14, OF SAID CHIMNEY POINT PLAT 1.

**WHEREAS**, the City staff have reviewed and approved said easement vacations; and

**WHEREAS**, the Code of Iowa provides that easements may be vacated only after notice and hearing as provided by law.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Ankeny, Iowa, that a public hearing before this Council on the proposal set forth in the preamble to this Resolution is set for 5:00 PM, on the 7<sup>th</sup> day of September, 2010. The City Clerk is directed to publish Notice of said hearing at the time and in the manner required by law.

Dated at Ankeny, Iowa this 16<sup>th</sup> day of August, 2010.

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Steven D. Van Oort, Mayor

**ATTEST:**

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Pamela DeMouth, City Clerk